



Notice of Service of Process

null / ALL
Transmittal Number: 24060046
Date Processed: 11/12/2021

Primary Contact: Andrew Akey
Menard, Inc.
5101 Menard Dr
Eau Claire, WI 54703-9604

Electronic copy provided to: Meghan Olson
Todd Lemanski
Elizabeth Weber

Entity:	Menard, Inc. Entity ID Number 0033810
Entity Served:	Menard, Inc.
Title of Action:	Richard Girard vs. Menard, Inc.
Document(s) Type:	Summons/Complaint
Nature of Action:	Personal Injury
Court/Agency:	McHenry County Circuit Court, IL
Case/Reference No:	21LA000276
Jurisdiction Served:	Illinois
Date Served on CSC:	11/12/2021
Answer or Appearance Due:	30 Days
Originally Served On:	CSC
How Served:	Personal Service
Sender Information:	Prime Law Group, LLC 815-338-2040

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To avoid potential delay, please do not send your response to CSC
251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com



SUMMONS - 30 DAY
IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

(Name all parties)

Richard Girard

Plaintiff(s)

vs.

Menard, Inc.

Case Number 21LA000276

A foreign corporation

Amount Claimed \$ excess of \$50,000.00

Defendant(s)

SUMMONS

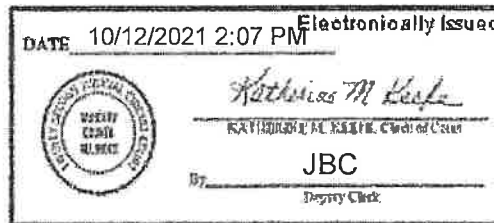
To each Defendant: Menard, Inc c/o Register Agent Prentice Hall Corporation801 Adlai Stevenson Drive, Springfield, IL 62703

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance, in the office of the Clerk of this court, McHenry County Government Center, 2200 N. Seminary Avenue, Woodstock, Illinois, 60098, within 30 days after service of this summons, not counting the day of service. **IF YOU FAIL TO DO SO, A JUDGMENT OR DECREE BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.**

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.



20

Plaintiff's attorney or plaintiff if he is not represented by an attorney

Name Nicole L. O'ConnorPrepared by Nicole L. O'ConnorAttorney for PlaintiffAttorney Registration No. 6336471Address 747 S. Eastwood DriveCity, State Zip Woodstock, IL 60098Telephone 815-338-2040Email noconnor@primelawgroup.com

SHERIFF'S FEES

Service and return \$ _____
 Miles _____ \$ _____
 Total Sheriff's Fees \$ _____

Sheriff of _____ County

I CERTIFY THAT I SERVED THIS SUMMONS ON DEFENDANTS AS FOLLOWS:**(a) INDIVIDUAL DEFENDANTS – PERSONAL:**

The officer or other person making service, shall (a) identify as to sex, race and approximate age of the defendant with whom he left the summons, and (b) state the place where (whenever possible in terms of an exact street address) and the date and time of the day when the summons was left with the defendant.

(b) INDIVIDUAL DEFENDANTS – ABODE:

By leaving a copy of the summons and a copy of the complaint at the usual place of abode of each individual defendant with a person of his family, of the age of 13 years and upwards, informing that person of the contents of the summons. The officer or other person making service, shall (a) identify as to sex, race and approximate age of the person, other than the defendant, with whom he left the summons, and (b) state the place where (whenever possible in terms of an exact street address) and the date and time of day when the summons was left with such person.

and also by sending a copy of the summons and of the complaint in a sealed envelope with postage fully pre-paid, addressed to each individual defendant at his usual place of abode, as follows:

Name of Defendant	Mailing Address	Date of Mailing
_____	_____	_____
_____	_____	_____
_____	_____	_____

(c) CORPORATION DEFENDANTS:

By leaving a copy of the summons and a copy of the complaint with the registered agent, officer or agent of each defendant corporation, as follows:

Defendant Corporation	Registered Agent, Officer or Agent	Date of Service
_____	_____	_____
_____	_____	_____
_____	_____	_____

(d) OTHER SERVICE

_____, Sheriff of _____ County
 By: _____, Deputy

IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

** FILED ** Env: 15168845
McHenry County, Illinois
21LA000276
Date: 10/12/2021 2:07 PM
Katherine M. Keefe
Clerk of the Circuit Court

Richard Girard

Plaintiff

VS.

Menard, Inc.

Defendant

Case Number **21LA000276**

CERTIFICATE OF ATTORNEY

I hereby certify that:

- ☒ There has been no previous voluntary or involuntary dismissal of the subject matter of this litigation.
- ☐ There has been a previous voluntary or involuntary dismissal of the subject matter of this litigation and at the time of the dismissal that case number _____ was assigned to The Honorable _____.
- ☒ There is no other litigation presently pending in this County involving the parties to and/or subject matter of this lawsuit.
- ☐ There is presently pending other litigation in this County involving the parties to or subject matter to this lawsuit and that case or cases is/are assigned case number(s) _____ which is/are assigned to The Honorable _____.

Name **Nicole L. O'Connor**

Attorney for **Plaintiff**

Address **747 S. Eastwood Drive**

City, State Zip **Woodstock, IL 60098**

Phone **815-338-2040**


Attorney for Complainant or Petitioner

CV-CRT4 (revised 12/01/06) Pursuant to Administrative Order No. 85-7

** FILED ** Env: 15168845
McHenry County, Illinois
21LA000276
Date: 10/12/2021 2:07 PM
Katherine M. Keefe
Clerk of the Circuit Court

STATE OF ILLINOIS)ss
COUNTY OF McHENRY)

IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

RICHARD GIRARD,
Plaintiff,

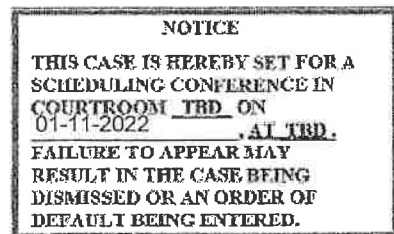
vs.

MENARD, INC.
A foreign corporation
Defendant

)
) IN EXCESS OF \$50,000.00
) DEMAND FOR JURY TRIAL
)

) NO. 21LA000276
)
)
)
)

COMPLAINT AT LAW



NOW COMES the Plaintiff, RICHARD GIRARD, by and through his attorneys, PRIME LAW GROUP, LLC., and in complaining of the Defendant, MENARD, INC., a foreign corporation, doing business as MENARDS, alleges as follows:

COUNT I
PREMISES LIABILITY

1. At all times complained of herein, the Plaintiff resided in Cary, McHenry County, Illinois.
2. At all times complained of herein, the Defendant MENARD, INC., was and is a Wisconsin Corporation doing business as MENARDS in McHenry County, Illinois.
3. That on or about September 17, 2020, the Defendant owned, was in the use, possession, operation, control and maintained a retail store located at 4850 Route 14, Crystal Lake, McHenry County, Illinois (at all times complained of herein referred to as the "Premises").

4. That on or about September 17, 2020, the Plaintiff was lawfully present in the aforesaid Premises as a business invitee and customer of the Defendant.
5. At all times complained of herein, the Plaintiff was a patron of the aforesaid described retail store and was using the store in a manner and for a purpose for which it was intended to be used.
6. At all times complained of herein, the Plaintiff was in the exercise of due care and caution for his own safety and for the safety of others.
7. At all times complained if herein, the Defendant was responsible for the maintenance of the Premises.
8. It then and there became the duty of the Defendant, operating by and through its agents and servants, to exercise reasonable care in it ownership, use, maintenance, operation and control of the aforesaid described retail store and in particular, the displays, so that as to make some reasonably safe to members of the general public and in particular, to patrons such as the Plaintiff herein.
9. On the aforesaid date and place, the Plaintiff was shopping at the aforesaid Premises when an employee directed Plaintiff to follow the employee for an item that the Plaintiff was searching to purchase.
10. At all times complained of herein, the Defendant, by its agents, employees and/or servants had actual or constructive notice of the dangerous condition existing on the Defendant's premises.
11. At all times complained of herein, the Defendant owed a duty to use reasonable care to maintain said premises in a reasonably safe condition.

12. Notwithstanding the Defendant's aforesaid duty, the Defendant was guilty of one or more of the following negligent acts or omissions to act, to wit:

- a. Allowed and created a common area of the Premises to be and remain in a dangerous and hazardous condition for its customers lawfully on the Premises, including the Plaintiff.
- b. Failed to exercise ordinary care to keep and maintain the Premises in a proper and safe condition.
- c. Failed to warn Plaintiff or any of its customers of the dangerous, hazardous and unsafe condition on the Premises; and
- d. Failed to maintain its Premises in a reasonably safe condition.
- e. Carelessly and improperly allowed such condition to exist for an unreasonable length of time, although they knew or should have known same would create an unsafe condition.
- f. Carelessly and improperly created an unsafe condition by placing an unreasonably large inventory on the display shelves although they knew or should have known same could create an unsafe condition for patrons.
- g. Carelessly and improperly failed to inspect and maintain the display shelving although they knew or should have known that same would create an unsafe condition.

13. As a direct and proximate result of one or more of the foregoing negligent acts and/or omissions to act of the Defendant, the Plaintiff was seriously and permanently injured when an employee directed Plaintiff to follow the employee to another aisle. As Plaintiff was following the employee and as they rounded the corner and Plaintiff tripped over a rack of merchandise . As a further direct and proximate result of one or more of the foregoing negligent acts and/or omissions to act, the Plaintiff suffered serious and permanent injuries, both externally and internally and has lost and will in the future lose the value of that time as aforementioned. The Plaintiff also suffered

great pain and anguish, both in mind and body, and will in the future continue to suffer.

WHEREFORE, the Plaintiff, RICHARD GIRARD, prays judgment against the Defendant, MENARD, INC., a foreign corporation, doing business as MENARDS, for a sum of money in excess of \$50,000.00 plus costs of suit and pre and post judgment interest.

COUNT II

NEGLIGENCE

14. Plaintiff repeats, re-alleges and incorporates Paragraphs 1 through 14 of Plaintiff's complaint as if more fully set forth herein and as allegation number 15 of Count II herein.

WHEREFORE, the Plaintiff, RICHARD GIRARD, prays judgment against the Defendant, MENARD, INC., a foreign corporation, doing business as MENARDS, for a sum of money in excess of \$50,000.00 plus costs of suit and pre and post judgment interest.

Plaintiff demands trial by jury.



Nicole L. O'Connor

Prime Law Group, LLC
Attorneys for Plaintiff
747 S. Eastwood Drive
Woodstock, IL 60098
(815) 338-2040
ARDC# 6336471
noconnor@primelawgroup.com

** FILED ** Env: 1518169
McHenry County, Illinois
21LA00027
Date: 10/13/2021 10:59 AM
Katherine M. Keef
Clerk of the Circuit Court

STATE OF ILLINOIS)ss
COUNTY OF McHENRY)

IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

RICHARD GIRARD,

Plaintiff,

vs,

MENARD, INC.

A foreign corporation

Defendant

)
) IN EXCESS OF \$50,000.00
) DEMAND FOR JURY TRIAL
)

) NO. 21 LA 276
)
)
)
)

AFFIDAVIT

NOW COMES the affiant, RICHARD GIRARD, and states as follows:


1. That my name is RICHARD GIRARD
2. That I am the Plaintiff in the above-captioned matter.
3. That I am seeking damages in excess of \$50,000.00.
4. Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.

Further affiant sayeth not.

So Sworn:


RICHARD GIRARD.

Subscribed and Sworn to
before me this 19th day
of September, 2021.


Notary Public



Nicole L. O'Connor
Prime Law Group, LLC
747 S. Eastwood Drive
Woodstock, IL 60098
(815) 338-2040
ARDC# 6336471
nicoconnor@primelawgroup.com